

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Developing a Unified Inter-carrier	)	Docket No. CC 01-92
Compensation Regime	)	
	)	
Missoula Inter-carrier	)	DA 06-1510
Compensation Reform Plan	)	
	)	

**THE REPLY COMMENT OF  
THE MID-ATLANTIC CONFERENCE OF REGULATORY  
UTILITY COMMISSIONERS AND  
STATE COMMISSIONERS OF THE MACRUC STATES**

This Reply Comment is filed on behalf of six members of the Mid-Atlantic Conference of Regulatory Utility Commissioners (“MACRUC”).<sup>1</sup> The Reply Comment of the MACRUC Members (“MACRUC Comment”) responds to the Federal Communications Commission’s (“FCC”) Public Notice at DA 06-1510 issued July 25, 2006 and extension order issued December 22, 2006 (the “Reply Comment Extension”) which extended the Reply Comment period to February 1, 2007.

The Reply Comment Extension solicits replies on an inter-carrier compensation plan that the National Association of Regulatory Utility Commissioners’ Task Force on Inter-carrier

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<sup>1</sup> Current MACRUC Members are the Delaware Public Service Commission, the Public Service Commission of the District of Columbia, the Kentucky Public Service Commission, the Maryland Public Service Commission, the New Jersey Board Of Public Utilities, the New York Public Service Commission, the Pennsylvania Public Utility Commission, the Virgin Islands Public Service Commission, the Virginia State Corporations Commission, and the West Virginia Public Service Commission. The Maryland Public Service Commission, Kentucky Public Service Commission, West Virginia Public Service Commission and the Virgin Islands Public Service Commission are not Signatories to these Comments.

Compensation (“NARUC Task Force”) filed on July 24, 2006 in this docket.

MACRUC would like to emphasize that, although the Plan was filed by the NARUC Task Force on Intercarrier Compensation, the Plan is an industry drafted and industry sponsored proposal and is not a NARUC-endorsed nor NARUC consensus document or plan.

The Missoula Plan is supported by, among others, AT&T, BellSouth Corp., Cingular Wireless, and 336 rural service providers entitled the Rural Alliance.

### **The MACRUC Reply Comment**

The State Commissions and individual Commissioners supporting the MACRUC Comment appreciate the opportunity to respond to the Missoula Plan Notice. MACRUC particularly appreciates the FCC’s decision to extend the deadline for filing Reply Comments to February 1, 2007.

As an initial matter, the MACRUC Reply Comment should not be construed as binding on any State Commission or individual state commissioner in any proceeding before the respective State Commissions nor any individual Commissioner. Moreover, the considerations set forth in the MACRUC Reply Comment could change in response to subsequent events.

In late January 2007, supporters of the Missoula Plan provided a limited-circulation revision of the Missoula Plan. This revision contained an

extensive and complex presentation on the purported benefits in support of adopting the Missoula Plan.

This limited-circulation revision was filed at the FCC as a letter <sup>2</sup>on January 30, 2007 two days prior to the February 1, 2007 deadline for Reply Comments. The complexity of the revision and the extremely abbreviated time period between circulation and the February 1, 2007 deadline prevent a thorough and considered analysis. This is particularly true for states within the MACRUC region given the diversity in state commission processes and resource demands.

Given these considerations and the Missoula Plan impact in the MACRUC region, the MACRUC makes two requests. First, MACRUC state filings in support of this Reply Comment after the February 1, 2007 deadline should be considered as timely filed. Second, **and most importantly, the FCC must classify the latest revisions in the Missoula Plan filing to be a new filing and set new Comment and Reply Comment periods.** Otherwise, a rushed consideration of the latest revisions without extensive analysis could result in an arbitrary and capricious decision.

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<sup>2</sup> Letter filed on behalf of Missoula Supporters and Five State Commissions: IN, ME, NE, VT, WY.

On behalf of the Delaware Public Service Commission

/s/ Arnetta McRae

Chair

/s/ Joann T. Conaway

Commissioner

/s/ Jaymes B. Lester

Commissioner

/s/ Dallas Winslow

Commissioner

/s/ Jeffrey J. Clark

Commissioner

On behalf of the Public Service Commission of the District of  
Columbia

/s/ Agnes Alexander Yates  
Chair

/s/ Richard E. Morgan  
Commissioner

On Behalf of the New Jersey Board of Public Utilities:

/s/  
JEANNE M. FOX  
PRESIDENT

/s/  
FREDERICK F. BUTLER  
COMMISSIONER

/s/  
CONNIE O. HUGHES  
COMMISSIONER

/s/  
JOSEPH L. FIORDALISO  
COMMISSIONER

/s/  
CHRISTINE V. BATOR  
COMMISSIONER

**Docket No. CC 01-92**  
**The Reply Comment of the Mid-Atlantic Conference of Regulatory**  
**Utilities Commissioners and**  
**State Commissioners of the MACRUC States**

**Patricia Acampora, Chairwoman**  
**New York Public Service Commission**

/s/\_\_\_\_\_

**Maureen F. Harris, Commissioner**  
**New York Public Service Commission**

/s/\_\_\_\_\_

**Dated: February 1, 2007**

Docket Nos.  
CC 01-92  
DA 06-1510

Wendell F. Holland, Chairman  
Commonwealth of Pennsylvania Public Utility Commission

/s/

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On behalf of the Commonwealth of Pennsylvania Public Utility Commission

Joseph K. Witmer, Esq.  
Assistant Counsel

/s/

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Dated: February 1, 2007



COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION

ON BEHALF OF THE VIRGINIA STATE CORPORATION COMMISSION

/s/ Theodore V. Morrison, Jr.  
Chair

/s/ Mark C. Christie  
Commissioner

/s/ Judith Williams Jagdmann  
Commissioner